

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS

PRESIDENT AND FELLOWS OF  
HARVARD COLLEGE

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF  
HEALTH AND HUMAN SERVICES, et al.

Defendants.

Case No. 1:25-cv-11048

**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

Defendants hereby move for summary judgment pursuant to Federal Rule of Civil Procedure 56(a). Accompanying this motion is a memorandum of points and authorities in support of the motion as well as Defendants' Response to Plaintiffs' Statement of Material Facts Not in Dispute as required by local rule 56.1. Defendants respectfully requests that the Court grant the motion for the reasons described in the memorandum.

Dated: June 16, 2025

Respectfully submitted,

CHAD MIZELLE  
Acting Associate Attorney General

ABHISHEK KAMBLI  
Deputy Associate Attorney General

BRETT A. SHUMATE  
Assistant Attorney General  
Civil Division

JOSEPH E. BORSON  
Assistant Director, Federal Programs Branch

*/s/ Eitan R. Sirkovich*

---

EITAN R. SIRKOVICH

RYAN M. UNDERWOOD

Trial Attorneys

United States Department of Justice

Civil Division, Federal Programs Branch

1100 L Street, NW

Washington, DC 20005

Tel: (202) 353-5525

E-mail: eitan.r.sirkovich@usdoj.gov

*Counsel for Defendants*

**CERTIFICATE OF SERVICE**

Counsel for Defendants certify that they have submitted the foregoing document with the clerk of court for the District of Massachusetts, using the electronic case filing system of the Court. Counsel for Plaintiff hereby certify that they have served all parties electronically or by another manner authorized by Fed. R. Civ. P. 5(b)(2).

/s/ Eitan R. Sirkovich  
EITAN R. SIRKOVICH  
Trial Attorney

**LOCAL RULE 7.1 CERTIFICATION**

In accordance with the requirements of Local Rule 7.1(a)(2), I hereby certify that counsel for Defendants conferred with Plaintiff's counsel regarding this motion but were not able to reach any agreement on this motion.

/s/ Eitan R. Sirkovich  
EITAN R. SIRKOVICH  
Trial Attorney